

**CIVIL CASE: 1:10cv69-RJC**

## ORDER

The local rules also preserve motions to dismiss made in initial responsive pleadings. W.D.N.C. Civ. R. 7.1(C)(1). “A party wishing to have decided any preserved motion shall file a separate motion and supporting brief.” Id. Therefore, Defendants will be given time to file a separate motion to dismiss and supporting brief in this case.

**IT IS, THEREFORE, ORDERED** that should they wish to have this Court decide the motion that was contained in their Answer, Defendants shall file the motion and any supporting brief separately within thirty (30) days of the filing of this Order.

Signed: January 10, 2011

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

